

FEB 03 2016

David J. Bradley, Clerk of Court

Sealed
Public and unofficial staff access
to this instrument are
prohibited by court order.

vs.

CRIMINAL NO.

CRIMINAL INDICTMENT

16 CR 56

INTRODUCTION

(iv) sadistic or masochistic abuse; or

(v) [the] lascivious exhibition of the genitals or pubic area of any person."

4. The term "computer" is defined, pursuant to Title 18, United States Code, Sections 2256(6) and 1030(e)(1), as any:

"electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device, but such term does not include an automated typewriter or typesetter, a portable hand held calculator or other similar device."

5. The term "producing", for purposes of this Indictment, is defined, pursuant to Title 18, United States Code, Section 2256(3) and case law, as:

"producing, directing, manufacturing, issuing, publishing or advertising" and includes downloading or copying visual depictions from another source.

6. The term "visual depiction" is defined, pursuant to Title 18, United States Code, Section 2256(5), as including, but is not limited to, any:

"undeveloped film and videotape, and data stored on computer disk or by electronic means which is capable of conversion into a visual image."

COUNT ONE
(Distribution of Child Pornography)

On or about April 1, 2014, within the Southern District of Texas and elsewhere,

LOREN ROSS YARBROUGH,

defendant herein, did knowingly distribute material that contained child pornography using any means and facility of interstate and foreign commerce.

In violation of Title 18, United States Code, Section 2252A(a)(2)(B) and Section 2252A(b)(1).

COUNT TWO
(Receipt of Child Pornography)

On or about February 1, 2011, through September 30, 2014, within the Southern District of Texas,

LOREN ROSS YARBROUGH,

defendant herein, did knowingly receive material that contains child pornography using any means and facility of interstate and foreign commerce.

In violation of Title 18, United States Code, Section 2252A(a)(2)(B) and Section 2252A(b)(1).

COUNT THREE
(Possession of Child Pornography)

On or about October 1, 2014, within the Southern District of Texas,

LOREN ROSS YARBROUGH,

defendant herein, did knowingly possess material that contained multiple images and videos of child pornography, which had been shipped and transported using any means and facility of interstate and foreign commerce, or which were produced using materials which have been mailed, shipped, and transported in and affecting interstate and foreign commerce, by any means, including by computer; more specifically, the defendant possessed one Lenovo desktop computer containing a Seagate hard drive, one HP desktop computer, and one Verbatim 2GB flash drive which contained video and still images of child pornography.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

NOTICE OF FORFEITURE
18 U.S.C. § 2253(a)

Pursuant to Title 18, United States Code, Section 2253(a)(2) and (a)(3), the United States gives the defendant notice that in the event of conviction for the offenses charged in Counts One through Three of the Indictment, the United States will seek to forfeit all property, real and personal, constituting or traceable to gross profits or other proceeds obtained from the offenses charged in Counts One through Three; and all property, real and personal, used or intended to be used to commit or to promote the commission of the offenses charged in Counts One through Three, or any property traceable to such property, including, but not limited to, the following:

A Lenovo desktop computer containing a Seagate hard drive;

An HP laptop computer;

A Verbatim 2GB flash drive; and

A television monitor.

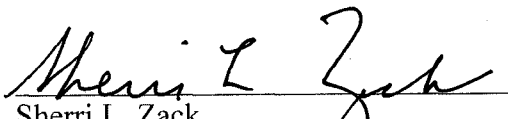
A True Bill:

Original Signature on File

Grand Jury Foreperson

KENNETH MAGIDSON
United States Attorney

By:


Sherri L. Zack
Assistant United States Attorney
713-567-9374